



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 6, 2018

Nina Perales
MALDEF
110 Broadway, Suite 300
San Antonio, TX 78205
nperales@maldef.org
via email

Re: Agreement Regarding Discovery on Plaintiff States' Motion for Preliminary Injunction Discovery; *Texas v. United States*, No. 1:18-cv-00068

Ms. Perales:

This letter memorializes the agreement between Plaintiff States and Defendant Intervenor regarding discovery related to Plaintiff States' motion for preliminary injunction. New Jersey agrees to abide by these terms as well in advance of the Court's ruling on its motion to intervene. Nothing in this agreement limits any parties' right to supplement or modify any information provided once this case moves into the regular discovery period leading up to a final ruling on the merits.

- a. There will be a ten-day period for responses to interrogatories, requests for admission, and requests for production. The parties will strive to produce documents as soon as practically possible. If a party cannot produce all responsive documents in the ten-day timeframe, that party will advise the others of the estimated production date, and any disagreements can be addressed on a case-by-case basis. All parties agree to propound discovery that is as specific as possible in order to allow the responding parties to quickly identify the documents that are truly responsive.
- b. On June 8, 2018, the parties will exchange their lists of lay witnesses/declarants, with a short description of their testimony. The parties agree to depositions beginning the week of June 11 on mutually agreeable dates with the understanding that lay witnesses will be made available in Austin, San Antonio, or the city where they currently reside, at the producing party's discretion. Expert witness depositions will start the week of June 18.

- c. On June 15, 2018, the parties agree that they will exchange lists of the exhibits they plan to submit with their initial post-discovery briefs due on July 7, 2018. The requirement to disclose would not include documents received during the discovery period for the preliminary injunction or the documents already attached to either Plaintiff States' motion for preliminary injunction or their complaint.

Please let me know if you have any comments or questions about the terms above. If not, please sign the agreement and send it back to me at your earliest convenience.

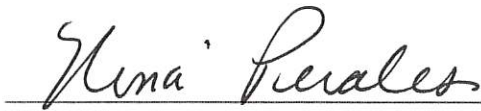
Sincerely,



Todd Lawrence Disher
Special Counsel for Civil Litigation
Office of the Attorney General of Texas

Attorney-in-Charge for Plaintiff States

AGREED:



Nina Perales
Attorney-in-Charge for Defendant Intervenors

Rachel Wainer-Apter
Attorney-in-Charge for New Jersey